

## REMARKS

The Office Action dated October 20, 2005 has been received and reviewed by the applicant. Claims 1-31 were in the application. Claims 1-8, and 27-30 were rejected and claims 9 and 10 were objected to. Claims 11-26 and 30-31 are canceled. Claims 32-35 are new.

### *Claim Rejection - 35 USC §102*

Claims 1, 4, 5, 8, and 30 were rejected under U.S.C. 102 (e) as being anticipated by Sakoh et al. (US Patent 6,704,434). Regarding independent claim 1, Applicants have amended claim 1 to further emphasize that their invention does not necessarily need to use the additional information for initial compression purposes, however, the additional information is available for secondary compression (i.e., recompression), if needed, as in the case of low bandwidth transmission, limited memory space, etc. Support for the amendment is found in Applicants' specification on page 15, lines 22-29. Additionally, it is shown in Fig. 2a of the present invention that the additional information in the form of a main subject belief map is not initially used to compress the image; however, in Fig. 4 the main subject belief map is used to compress the image, most likely because a lower bit rate is needed.

In sharp contrast, according to Sakoh's disclosure, he -uses his so-called additional information ( i.e., positional information) to further his compression scheme by individually weighting segments of an image. Sakoh only discloses storing positional information, but not the weighting information that was used to compress the image. In actuality, this positional information is not really considered additional information by those persons ordinarily skilled in the art of compression and decompression, because to decompress the image, a decompressor will need the positional information to reconstruct the image, otherwise, there will only be a jigsaw puzzle-like grouping of the image pixels with no location information about where to place the image pixels. A compressed file should contain all the information that is necessary for

decompressing and reconstructing the image. Accordingly, in the present invention one may decompress the compressed image from the enhanced compressed image and reconstruct the image without using the additional information contained in the enhanced compressed image at all.

Independent claim 1 is novel, because at least one of Applicants' features is missing in the cited art. Applicants, therefore, respectfully request that the Examiner reconsider and withdraw the rejection of the claims under 35 U.S.C. 102(e).

### *Claim Rejection - 35 USC §103*

Claim 2 was rejected under 35 U.S.C. 103 (a) as being unpatentable over Sakoh et al. (US Patent 6,704,434) in view of Nishio et al. (US Patent 6,335,763).

Claim 3 was rejected under 35 U.S.C. 103 (a) as being unpatentable over Sakoh et al. (US Patent 6,704,434) in view of Nishio et al. (US Patent 6,335,763) as applied to claim 2 above, and further in view of Zeck (US Patent 6,668,093).

Claim 6 was rejected under 35 U.S.C. 103 (a) as being unpatentable over Sakoh et al. (US Patent 6,704,434) in view of Christopoulos et al. "The JPEG2000 Still Image Coding System: An Overview".

Claim 7 was rejected under 35 U.S.C 103 (a) as being unpatentable over Sakoh et al. (US Patent 6,704,434) in view of Komiya et al. (US Patent 6,211,911).

Claim 27 was rejected under 35 U.S.C. 103(a) as being unpatentable over Sakoh et al. (US Patent 6,704,434) in view of Strolle et al. (US Patent 5,673,355).

Claim 28 was rejected under 35 U.S.C. 103(a) as being unpatentable over Sakoh et al. (US Patent 6,704,434) in view of Talluri et al. (US Patent 6,393,056).

Claim 29 was rejected under 35 U.S.C. 103(a) as being unpatentable over Sakoh et al. (US Patent 6,704,434) in view of Madden et al. (US Patent 6,297,825).

The cited art of Sakoh, which is used to reject claims 2-3, 6, 7, and 27-29 in combination with other cited art discloses a different compression scheme than that of the present invention. Specifically, the Applicants address the problem of transcoding high-quality digital images and motion sequences for devices having low bit rates; whereas, Sakoh does not. The Examiner has failed to make a prima facie case, because at least one of Applicant's features is missing in the cited combination for the same reasons given above for independent claim 1 from which these claims depend.

For the reasons set forth above, it is believed that the application is in condition for allowance. Accordingly, reconsideration and favorable action are both respectfully solicited.


### *Allowable Subject Matter*

Claims 9 and 10 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Should the Examiner consider that additional amendments are necessary to place the application in condition for allowance, the favor is requested of a telephone call to the undersigned counsel for the purpose of discussing such amendments. Notably, the Applicants have amended claim 1 to now include some

of the features found in canceled claim 11. Therefore, should claim 1 be found allowable, the Applicants may want to amend the claims in the nonelected groups for consistency sake. Lastly, new claims 32-35 are added to claim the feature of selective recompression based on additional information and target size of a compressed digital image.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Stephen H. Shaw", is written over a horizontal line.

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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.